DOCUMENT RESUME

ED 462 343 SO 033 583

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TITLE	The Treaty of Guadalupe Hidalgo. The Constitution Community: Expansion and Reform (1801-1861).
INSTITUTION	National Archives and Records Administration, Washington, DC.
PUB DATE	2001-00-00
NOTE	30p.; For related lesson plans, see ED 461 604-607 and ED 461 609-615. Photographic images may not reproduce clearly.
AVAILABLE FROM	National Archives and Records Administration, 700 Pennsylvania Avenue, N.W., Washington, DC 20408. Tel: 866-325-7208 (Toll Free); e-mail: inquire@nara.gov. For full text: http://www.nara.gov/education/cc/main.html.
PUB TYPE	Guides - Classroom - Teacher (052)
EDRS PRICE	MF01/PC02 Plus Postage.
DESCRIPTORS	*Federal Government; Foreign Countries; *Government Role; *Primary Sources; Secondary Education; Social Studies; *Treaties; *United States History
IDENTIFIERS	*Mexican War; Mexico; National Civics and Government Standards; National History Standards; Treaty of Guadalupe Hidalgo

ABSTRACT

The Treaty of Guadalupe Hidalgo, which brought an official end to the Mexican American War (1846-1848) was signed on February 2, 1848. Nicholas Trist, chief clerk of the U.S. Statement Department at the time, negotiated the peace treaty in defiance of 1845-1849 President James K. Polk. Trist believed that Mexico must surrender fully, including surrendering territory. Polk forwarded the Treaty to the Senate, which reluctantly ratified it. This lesson on the Treaty of Guadalupe Hidalgo examines the power granted to the President and the Senate to make and approve treaties with foreign nations. The lesson correlates with the National History Standards and with the National Standards for Civics and Government. It furnishes three primary sources: (1) the Treaty of Guadalupe Hidalgo; (2) Lincoln's Spot Resolutions; and (3) a photograph of a border marker being rebuilt in the 1890s. The lesson provides historical background on the circumstances of the Treaty of Guadalupe Hidalgo, Trist's actions, and the surveying of new U.S. territories ceded from Mexico. The unit contains eight diverse teaching activities, including locating and distributing prepared map sets to help students identify the boundary changes after the treaty. Students are asked to write a position paper supporting or opposing the following thesis: "Considering the events that led to the Mexican American War, the terms negotiated in the Treaty were a just conclusion to the crisis." (Contains a written document analysis worksheet and a photograph analysis worksheet.) (BT)

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National Archives and Records Administration

THE CONSTITUTION COMMUNITY

Expansion and Reform (1801-1861)

The Treaty of Guadalupe Hidalgo

By Tom Gray

SO 033 583

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2001

The Constitution Community is a partnership between classroom teachers and education specialists from the National Archives and Records Administration. We are developing lessons and activities that address constitutional issues, correlate to national academic standards, and encourage the analysis of primary source documents. The lessons that have been developed are arranged according to historical era.

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The Treaty of Guadalupe Hidalgo

Constitutional Connection

This lesson relates to the power granted to the president and the Senate to make and approve treaties with foreign nations (Article II, Section 2, Clause 2 , of the U.S. Constitution).

This lesson correlates to the National History Standards.

Era 4 -Expansion and Reform (1801-1861)

- **Standard 1C** -Demonstrate understanding of the ideology of Manifest Destiny, the nation's expansion to Northwest, and the Mexican-American War.

This lesson correlates to the National Standards for Civics and Government.

Standard III. B.2. -Explain the major responsibilities of the national government for foreign policy and how foreign policies, including trade and national security, affect everyday lives and communities.

Standard IV. A.1. - Explain how nation-states interact with each other.

Standard IV. B.2 .- Describe the various means used to attain the ends of United States foreign policy, such as diplomacy; economics, military and humanitarian aid; treaties; sanctions; military intervention; covert action.

Cross-curricular Connections

Share these lessons with your history, government, and language arts colleagues.

List of Documents

1. The Treaty of Guadalupe Hidalgo (page 1 , signature page)

2. Lincoln's Spot Resolutions

3. Photograph of border marker being rebuilt in the 1890s

Note: A transcript of the treaty is available online from the California State University at http://www.monterey.edu/other-sites/history/treaty.html

Historical Background

The Treaty of Guadalupe Hidalgo (GWAH~duhl~oop hih~DAL~goh), which brought an official end to the Mexican-American War (1846-1848) was signed on February 2, 1848, at Guadalupe Hidalgo, a city north of the capital where the Mexican government had fled with the advance of U.S. forces. To explore the circumstances that led to this war with Mexico, visit the Teaching with Documents lesson, "Lincoln's Spot Resolutions." <http://www.nara.gov/education/teaching/lincoln/home.html>

With the defeat of its army and the fall of the capital, Mexico City, in September 1847 the Mexican government surrendered to the United States and entered into negotiations to end the war. The peace talks were negotiated by Nicholas Trist, chief clerk of the State Department, who had accompanied General Winfield Scott as a diplomat and President Polk's representative. Trist and General Scott, after two previous unsuccessful attempts to negotiate a treaty with Santa Anna, determined that the only way to deal with Mexico was as a conquered enemy. Nicholas Trist negotiated with a special commission representing the collapsed government led by Don Bernardo Couto, Don Miguel Atristain, and Don Luis Gonzaga Cuevas of Mexico.

In *The Mexican War* , author Otis Singletary states that President Polk had recalled Trist under the belief that negotiations would be carried out with a Mexican delegation in Washington. In the six weeks it took to deliver Polk's message, Trist had received word that the Mexican government had named its special commission to negotiate. Against the president's recall, Trist determined that Washington did not understand the situation in Mexico and negotiated the peace treaty in defiance of the president. In a December 4, 1847, letter to his wife, he wrote, "Knowing it to be the very last chance and impressed with the dreadful consequences to our country which cannot fail to attend the loss of that chance, I decided today at noon to attempt to make a treaty; the decision is altogether my own."

In *Defiant Peacemaker: Nicholas Trist in the Mexican War* , author Wallace Ohrt described Trist as uncompromising in his belief that justice could be served only by Mexico's full surrender, including surrender of territory. Ignoring the president's recall command with the full knowledge that his defiance would cost him his career, Trist chose

to adhere to his own principles and negotiate a treaty in violation of his instructions. His stand made him briefly a very controversial figure in the United States.

Under the terms of the treaty negotiated by Trist, Mexico ceded to the United States Upper California and New Mexico. This was known as the Mexican Cession and included present-day Arizona and New Mexico and parts of Utah, Nevada, and Colorado (see Article V of the treaty). Mexico relinquished all claims to Texas and recognized the Rio Grande as the southern boundary with the United States (see Article V).

The United States paid Mexico $15,000,000 to compensate for war-related damage to Mexican property (see Article XII of the treaty) and agreed to pay American citizens debts owed to them by the Mexican government (see Article XV). Other provisions included protection of property and civil rights of Mexican nationals living within the new boundaries of the United States (see Articles VIII and IX), the promise of the United States to police its boundaries (see Article XI), and compulsory arbitration of future disputes between the two countries (see Article XXI).

Trist sent a copy to Washington by the fastest means available, forcing Polk to decide whether or not to repudiate the highly satisfactory handiwork of his discredited subordinate. Polk chose to forward the treaty to the Senate. When the Senate reluctantly ratified the treaty (by a vote of 34 to 14) on March 10, 1848, it deleted Article X guaranteeing the protection of Mexican land grants. Following the ratification, U.S. troops were removed from the Mexican capital.

To carry the treaty into effect, commissioner Colonel Jon Weller and surveyor Andrew Grey were appointed by the United States government and General Pedro Conde and Sr. Jose Illarregui were appointed by the Mexican government to survey and set the boundary. A subsequent treaty of December 30, 1853, altered the border from the initial one by adding 47 more boundary markers to the original six. Of the 53 markers, the majority were rude piles of stones; a few were of durable character with proper inscriptions.

Over time, markers were moved or destroyed, resulting in two subsequent conventions (1882 and 1889) between the two countries to more clearly define the boundaries. Photographers were brought in to document the location of the markers. These photographs are in Record Group 77, Records of the Office of the Chief Engineers, in the National Archives. An example of one of these photographs, taken in the 1890s, is attached to this lesson plan or can be found online through the National Archives Information Locator (NAIL) database, control number NWDNS-77-MB. <http://www.nara.gov/nara/nail.html>

Teaching Activities

1. Use the Teaching With Documents activity, "_Lincoln's Spot Resolutions ," to prepare the students for studying the Mexican War. Instruct the students to review their textbook

and other source information about the time period and the events that led to the end of the Mexican War and the signing of the treaty.

2. Divide the students into groups of 3 to 5 and ask them to use the resources reviewed in #1 to identify the issues/causes that led to the Mexican War. Direct them to catagorize the data as long-term, short-term, or immediate. Ask each group to report their results to the class in order to create a comprehensive classroom list of the issues/causes.

3. Distribute copies of the Written Document Analysis Worksheet to students. Instruct them to analyze document 1, page 1 , of the Treaty of Guadalupe Hidalgo in either a classroom computer activity or a homework assignment. Upon completion of the assignment, discuss with the class the worksheet results, including the language and formality of the document.

4. Distribute the comprehensive list of issues/causes created in #2 and copies of the Treaty of Guadalupe Hidalgo to new groups of 3-5 students. Direct the groups to match or link the articles of the treaty with the causes/issues that lead to war. Groups should report to the class the information that they have compiled.
Note: A transcript of the treaty is available online from the California State University at http://www.monterey.edu/other-sites/history/treaty.html

5. Locate and distribute prepared map sets and direct students to use their textbooks and other related resources to identify the boundary changes that took place in the United States after the treaty. Ask the students to label the maps from the time period before the treaty (include boundary lines, territories, and major land features).

6. Distribute copies of document 3 , the photograph of the border marker being rebuilt in the 1890s, and instruct them to complete the Photograph Analysis Worksheet . Discuss with the class the worksheet results, including possible methods that may have been used to determine the exact location of the marker. When completed, share with students the information about the border markers from the Historical Background section of the lesson.

In a follow up activity, discuss with students the following topics: how the Mexican-U.S. boundaries are determined and marked today; what ways public and private land boundaries are determined and marked; how disputes among the states or between the United States and foreign nations (ie. Mt. Vernon Conference-1785, Pinckney Treaty, Louisiana Purchase, settlement of the Oregon Territory-1846, etc.) have had an impact on U.S. history; and how boundary lines between private individuals have arisen and caused controversies between individuals.

7. Ask students to write a position paper supporting or opposing the following thesis: Considering the events that led to the Mexican War, the terms negotiated in the Treaty of Guadalupe Hidalgo were a just conclusion to this crisis.

8. Direct students to read Article II, Section 2, Clause 2 , of the U.S. Constitution and then prepare a list of the actions taken by the executive and legislative branches in negotiating, ratifying, and enforcing the Treaty of Guadalupe Hidalgo.

The document included in this project is from Record Group 11, General Records of the United States. It is available online through the National Archives Information Locator (NAIL) database, control number NWCTB-11-ITA-PI159E9-TS(EX)207 <http://www.nara.gov/nara/nail.html>. The photograph included in this lesson is from Record Group 77, Records of the Office of the Chief Engineers. It is control number NWDNS-77-MB-442D. NAIL is a searchable database that contains information about a wide variety of NARA holdings across the country. You can use NAIL to search record descriptions by keywords or topics and retrieve digital copies of selected textual documents, photographs, maps, and sound recordings related to thousands of topics.

This article was written by Tom Gray, a teacher at DeRuyter Central Middle School in DeRuyter, NY.

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Written Document Analysis Worksheet

1. TYPE OF DOCUMENT (Check one):

___ Newspaper	___ Map	___ Advertisement
___ Letter	___ Telegram	___ Congressional record
___ Patent	___ Press release	___ Census report
___ Memorandum	___ Report	___ Other

2. UNIQUE PHYSICAL QUALITIES OF THE DOCUMENT (Check one or more):

___ Interesting letterhead	___ Notations
___ Handwritten	___ "RECEIVED" stamp
___ Typed	___ Other
___ Seals	

3. DATE(S) OF DOCUMENT: _____

4. AUTHOR (OR CREATOR) OF THE DOCUMENT: _____

POSITION (TITLE): _____

5. FOR WHAT AUDIENCE WAS THE DOCUMENT WRITTEN? _____

_____

6. DOCUMENT INFORMATION (There are many possible ways to answer A-E.)

A. List three things the author said that you think are important:

1. _____
2. _____
3. _____

B. Why do you think this document was written?

_____

_____

C. What evidence in the document helps you know why it was written? Quote from the document.

_____

_____

D. List two things the document tells you about life in the United States at the time it was written:

_____

_____

E. Write a question to the author that is left unanswered by the document:

_____

_____

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Photograph Analysis Worksheet

Step 1. Observation

A. Study the photograph for 2 minutes. Form an overall impression of the photograph and then examine individual items. Next, divide the photo into quadrants and study each section to see what new details become visible.

B. Use the chart below to list people, objects, and activities in the photograph.

PEOPLE	OBJECTS	ACTIVITIES

Step 2. Inference

Based on what you have observed above, list three things you might infer from this photograph.

_____

_____

_____

Step 3. Questions

A. What questions does this photograph raise in your mind?

_____

_____

B. Where could you find answers to them?

_____

_____

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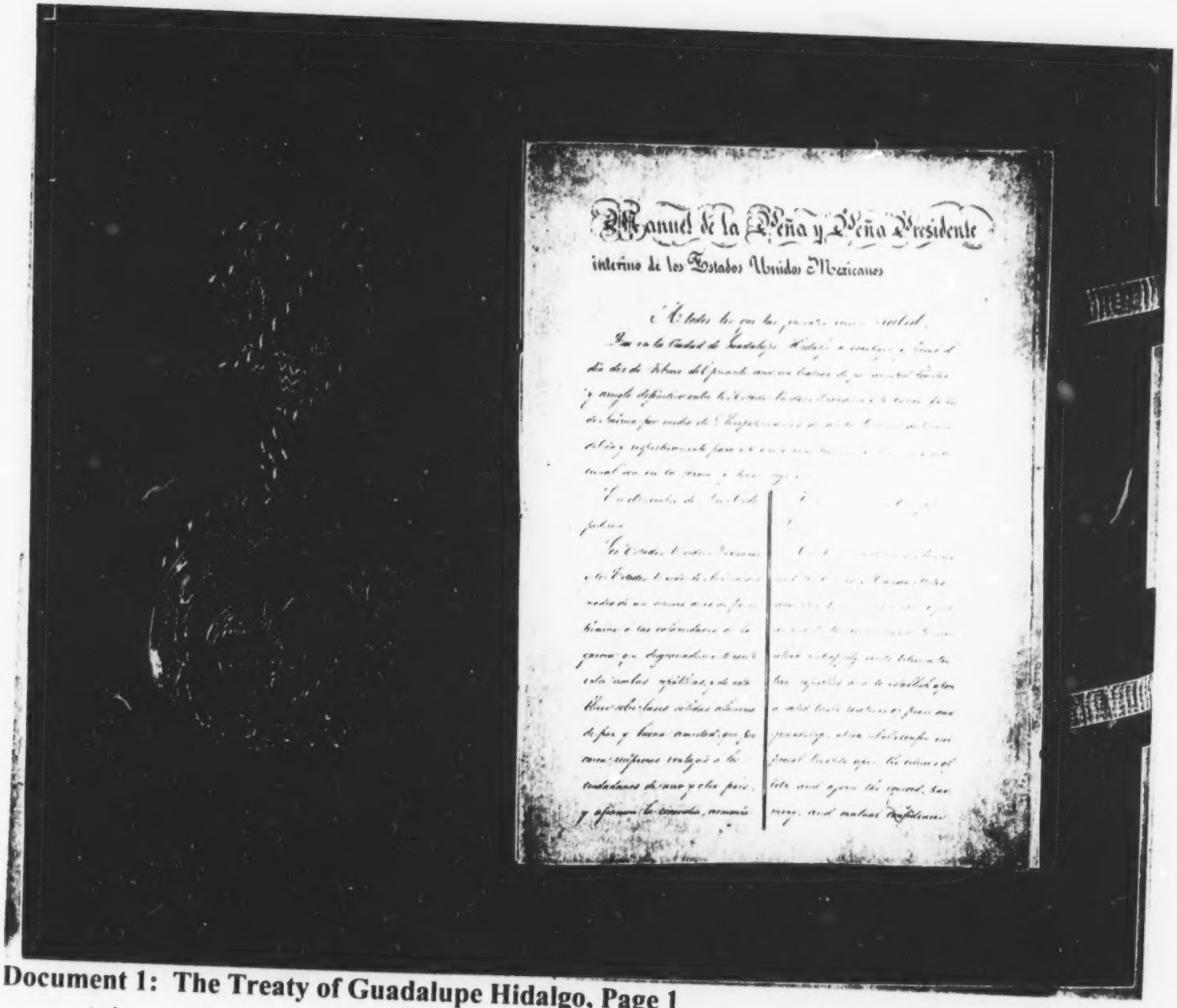

Manuel de la Peña y Peña Presidente

interino de los Estados Unidos Mexicanos

Document 1: The Treaty of Guadalupe Hidalgo, Page 1

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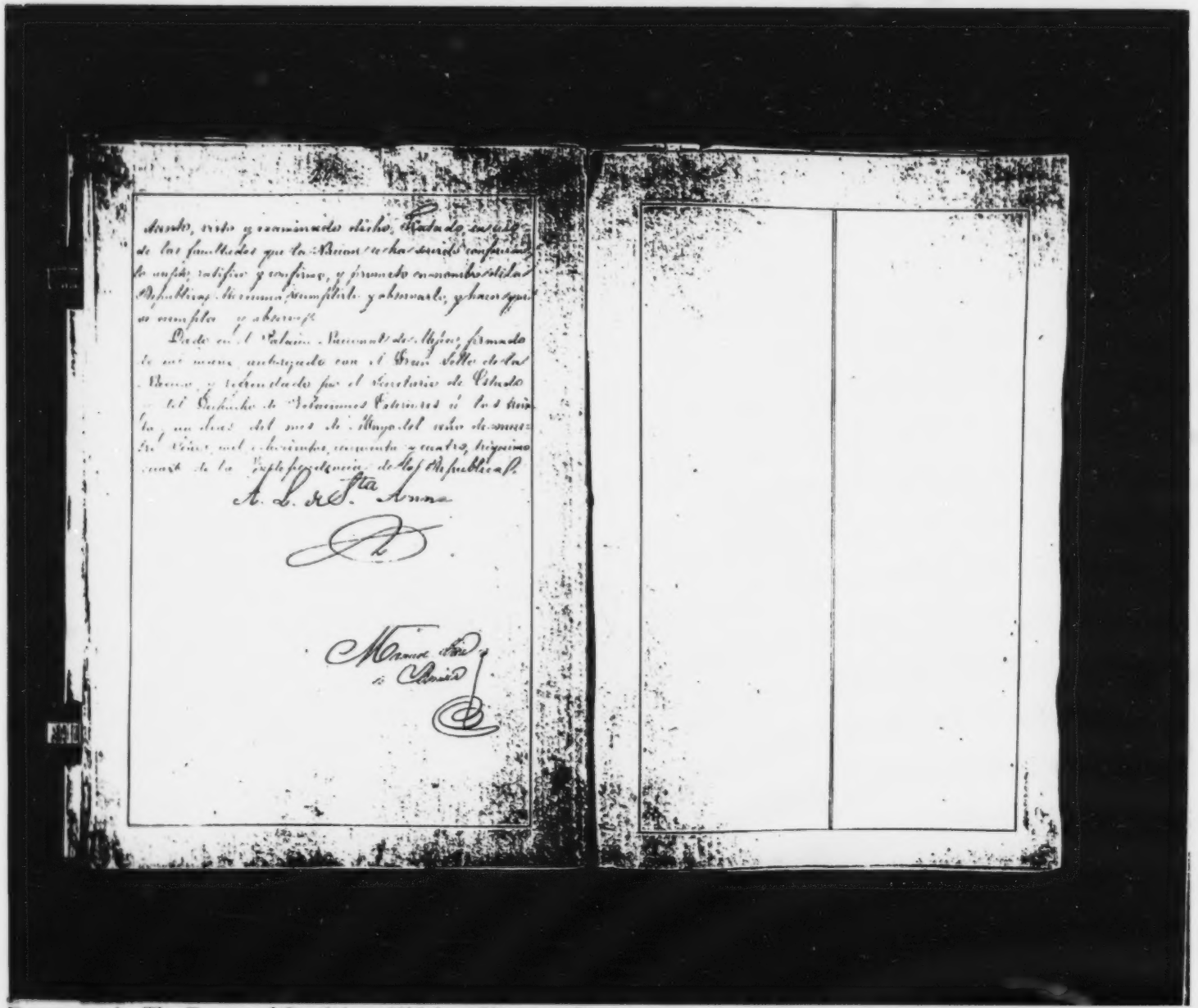

Document 1: The Treaty of Guadalupe Hidalgo, Signature Page

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Resolved by the House of Representatives, that the President of the United States be respectfully requested to inform this House

First: Whether the spot of soil on which the blood of our citizens was shed, as in his message alleged, was, or was not, within the limits of Spain, at least from the treaty of 1819 until the Mexican revolution

Second: Whether that spot is, or is not, within the territory which was wrested from Spain by the Mexican revolution.

Third: Whether that spot is, or is not, within a settlement of people, which settlement had a existence ever since long before the Texas revolution, until its inhabitants fled from the approach of the U. S. Army.

Fourth: Whether that settlement is, or is not, isolated from any and all other settlement, by the Gulf of Mexico, and the Rio Grande, on the South and West, and by wide uninhabited regions on the North and East.

Fifth: Whether the People of that settlement, or a majority of them, or any of them, had ever, previous to the bloodshed mentioned in his message, submitted themselves to the government or laws of Texas, or of the United States, by consent, or by compulsion, either by accepting offices, or voting at elections, or paying taxes, or serving on juries, or having process served upon them, or in any other way.

Sixth: Whether the People of that settlement, did, or did not, leaving unprotected their homes and their growing crops, flee from the approach of the United States Army, like sav

Document 2: Lincoln's Spot Resolutions, Page 1

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the blood was shed, as in his message states; and whether the first blood so shed, was or was not shed within the inclosure of the Ropes, or some of them, who have then fled from it—

Seventh: Whether the citizens, whose blood was so shed, as in his message declared, were, or were not, at that time, armed officers, and soldiers, sent into that settlement, by the military order of the President through the Secretary of War— and

Eighth: Whether the military force of the United States, including those citizens, was, or was not, so sent into that settlement, after Gen. Taylor had, more than once, intimated to the War Department that, in his opinion, no such movement was necessary to the defence or protection of the set-

Document 2: Lincoln's Spot Resolutions, Page 2

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Document 3: Photograph of border marker being rebuilt in the 1890s.

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TEACHING WITH DOCUMENTS

Lincoln's Spot Resolutions

This lesson correlates to the National History Standards.

Era 4-Expansion and Reform (1801-1861)

- **Standard 1C**-Demonstrate understanding of the ideology of Manifest Destiny, the nation's expansion to the Northwest, and the Mexican-American War.

This lesson correlates to the National Standards for Civics and Government.

- **Standard IV.A.1.**-Explain how nation-states interact with each other.
- **Standard IV.B.2.**-Evaluate, take, and defend positions about how United States foreign policy is made and the means by which it is carried out.

Cross-curricular Connections

Share this exercise with your history, government, and language arts colleagues.

Historical Background

Tension has existed between the legislative and the executive branches of the U.S. government over war powers since the Constitution simultaneously vested Congress with the power to declare war and the President with the power of Commander in Chief. Although Jefferson insisted on congressional approval before sending troops into combat, later Presidents have not felt bound by this precedent. Their alternate view was boosted by the Supreme Court in 1827 in the case *Martin* v. *Mott*. The Court ruled that it was constitutional for Congress to vest the president with the discretionary authority to decide whether an emergency had arisen and to raise a militia to meet such a threat of invasion or civil insurrection. Nonetheless, in the winter of 1845-46, as relations between the United States and Mexico deteriorated, there was no express delineation of powers between the two branches.

Prior to Texas's independence, the Neuces River was recognized as the northern boundary of Mexico. Spain had fixed the Neuces as a border in 1816, and the United States ratified it in the 1819 treaty by which the United States had purchased Florida and renounced claims to Texas.

Even following Mexico's independence from Spain, American and European cartographers fixed the Texas border at the Neuces. When Texas declared its independence, however, it claimed as its territory an additional 150 miles of land, to the Rio Grande. With the annexation of Texas in 1845, the United States adopted Texas's position and claimed the Rio Grande as the border.

Mexico broke diplomatic relations with the United States and refused to recognize either the Texas annexation or the Rio Grande border. President James Polk (photo citation: 111-B-4542) sent a special envoy, John L. Slidell (photo citation: 111-B-4134), to propose cancellation of Mexico's debt to United States citizens who had incurred damages during the Mexican Revolution, provided Mexico would formally recognize the Rio Grande boundary. Slidell was also authorized to offer the Mexican government up to $30 million for California and New Mexico.

Between Slidell's arrival on December 6, 1845, and his departure in March 1846, the regime of President Jose Herrara was overthrown and a fervently nationalistic government under General Mariano Paredes seized power. Neither leader would speak to Slidell. When Paredes publicly reaffirmed Mexico's claim to all of Texas, Slidell left in a temper, convinced that Mexico should be "chastised."

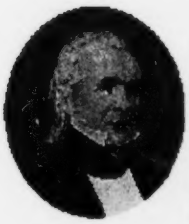
Zachary Taylor

The agent for chastisement was already in place. On January 13, 1846, more than 3,500 troops commanded bv General Zachary Taylor (photo citation: 111-B-3489) moved south under President Polk's order, from Corpus Christi on the Neuces River to a location on the north bank of the Rio Grande. Advancing on March 8 to Point Isabel, the U.S. troops found that the settlement had been burned by fleeing Mexicans. By March 28, the troops were near the mouth of the Rio Grande across from the Mexican town of Matamoros.

Polk claimed the move was a defensive measure, and expansionists and Democratic newspapers in the United States applauded his action. Whig newspapers said that the movement was an invasion of Mexico rather than a defense of Texas. While newspapers in Mexico called for war, General Pedro de Ampudia warned, "If you insist in remaining upon the soil of the department of Tamaulipas, it will clearly result that arms, and arms alone, must decide the question."

General Ampudia's prediction came true on April 25 when Mexican cavalry crossed the Rio Grande and attacked a mounted American patrol, killing five, wounding eleven, and capturing forty-seven.

President Polk



In Washington, President Polk, although unaware of the developments, had drafted a message asking Congress to declare war on Mexico on the basis of Mexico's failure to pay U.S. damage claims and refusal to meet with Slidell. At a cabinet meeting on May 9, he notified his cabinet that he would ask for war in a few days. Only Secretary of the Navy George Bancroft counseled for delay, waiting for a Mexican attack.

On that evening, Polk received Taylor's account of the April 25 skirmish. Polk revised his war message, then sent it to Congress on May 11 asserting, "Mexico has passed the boundary of the United States, has invaded our territory and shed American blood upon America's soil." On May 13, Congress declared war, with a vote of 40-2 in the Senate and 174-14 in the House.

Although Congress had declared war, it was not without reservation. An amendment was proposed, although defeated, to indicate that Congress did not approve of Polk's order to move troops into disputed territory. Sixty-seven Whig representatives voted against mobilization and appropriations for a war.

Ohio Senator Tom Corwin accused Polk of involving the United States in a war of aggression. Senator John C. Calhoun of South Carolina abstained from voting, correctly foreseeing that the war would aggravate sectional strife. Massachusetts Senator Daniel Webster (photo citation: 111-B-4205) voiced doubts about the constitutionality of Polk's actions, believing that Polk had failed to consult adequately with Congress. As the war deepened, "Conscience" Whigs denied Polk had tried to avoid war.

A freshman Whig Congressman from Illinois, Abraham Lincoln (photo citation: 111-B-4246A), questioned whether the "spot" where blood had been shed was really U.S. soil. On December 22, 1847, he introduced the "Spot Resolutions," of which the second and third pages of Lincoln's handwritten copy are shown. One of several congressional resolutions opposing the war, it was never acted upon by the full Congress. Lincoln's action temporarily earned him a derisive nickname, "spotty Lincoln," coined by one Illinois newspaper.

Other citizens shared their legislators' concern, particularly those in the Northeast who saw the war as a ploy to extend slavery. The most celebrated was Henry David Thoreau, who refused to pay his $1 Massachusetts poll tax because he believed the war an immoral advancement of slavery.

Acerbic former President John Quincy Adams (photo citation: 111-B-3495) described the war as a southern expedition to find "bigger pens to cram with slaves." Regional writer James R. Lowell, author of the Biglow Papers, had his Yankee farmer Hosea Biglow scorn fighting to bring in new slave states. Charles Sumner (photo citation: 111-B-1148), a noted abolitionist, also condemned the war from pacifist principles. Philadelphian Joseph Sill's diary records widespread public disapproval for the war by October 1847.

The Massachusetts state legislature resolved the war an unconstitutional action because it was initiated by order of the President with the "triple object of extending slavery, of strengthening the slave power and of obtaining the control of the free states."

Concern that Taylor's order sending troops into the disputed territory provoked the clash was foremost in an October 1847 article in one Whig newspaper, *The American Rewiew*: "The Constitution contemplates that before deliberate hostilities shall be undertaken in any case, a declaration of war shall be made; but in this case a hostile aggressive move was made under the personal orders of the President."

Ironically, when Lincoln became President, he extended the war powers of the executive, action he had criticized as a Congressman. Following the firing on Fort Sumter, he declared a naval blockade on his own authority. The capture and condemnation of four runners led to a case that went to the Supreme Court. In 1863 the Court affirmed Lincoln's actions in the *Prize Cases*, 2 Black 635.

The "Spot Resolutions" are kept in the Records of the U.S. House of Representatives, RG 233, HR 30 A-B 3. <http://www.nara.gov/nara/legislative/house_guide/hgtoca.html>

View page one of the document.
View page two of the document.

Teaching Activities

Interpreting the Document

1. Students should review information in their textbooks about the U.S. entry into the Mexican War and opposition to that war. Supplement the text with information from the note to the teacher.

2. Ask students to locate on a map or in an atlas the following geographical features: the Neuces River, the Rio Grande, Corpus Christi, Point Isabel, Matamoros.

3. Ask students to read the document, either aloud as a class or silently. Then ask them to summarize each of the eight resolutions in their own words:
a. Using the text and note to the teacher, ask students to answer each of Lincoln's points.
b. Using Polk's war message, ask students to answer each of the points.
c. Ask students to compile a list of secondary sources where they might find information to resolve the discrepancies between the two versions of the events.
d. Ask students to compile a list of primary sources that they could examine to resolve the discrepancies between the two versions.

Public Opinion

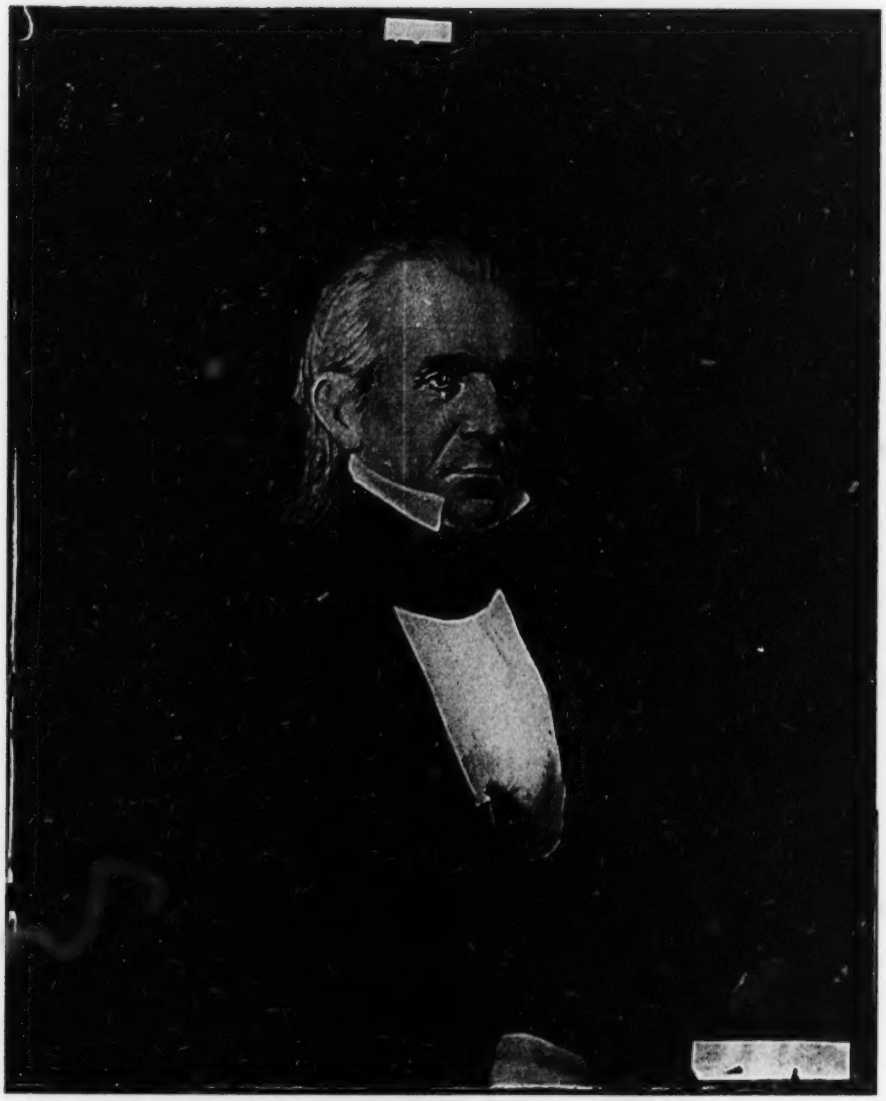
1. Most students are aware that television influences public opinion from politics to fashion, but they are less sensitive to the impact of other forms of communication. As a

class, discuss the following questions:
a. Apart from television, how do they get information about current events?
b. Apart from television, what sources do they turn to for information upon which to base an opinion? (For example, consumer, book, movie, record, or fashion reviews and editorials)
c. Can they tell what side of an issue their local newspaper favors? Opposes? How?
d. Apart from articles on the editorial page, what other decisions made by newspaper editors influence public opinion and knowledge?
e. What impact would political party newspapers have had in the 1840s, an era before television or radio?

2. Antiwar protesters did not just appear with the Vietnam War, as some students believe. Time permitting, you may wish to assign students to read Thoreau's essay "Civil Disobedience" or the play based on his incarceration, *The Night Thoreau Spent in Jail*, or James R. Lomell's *Biglow Papers*, or other examples of opposition to the Mexican War. Students should report to the class the issues raised and tactics used by these earlier protesters.

3. Direct students to look into earlier and later antiwar material, from Aristophanes' *Lysistrata* to Holly Near's songs about the conflict in Central America. Ask students to conduct research and prepare written or oral reports or to write an editorial on one of the following topics:
a. Protesters of conscience against wars other than the Mexican War.
b. Moral issues raised by conscientious objectors at different periods in history.
c. Tactics used by antiwar protesters over time and how these tactics have changed.

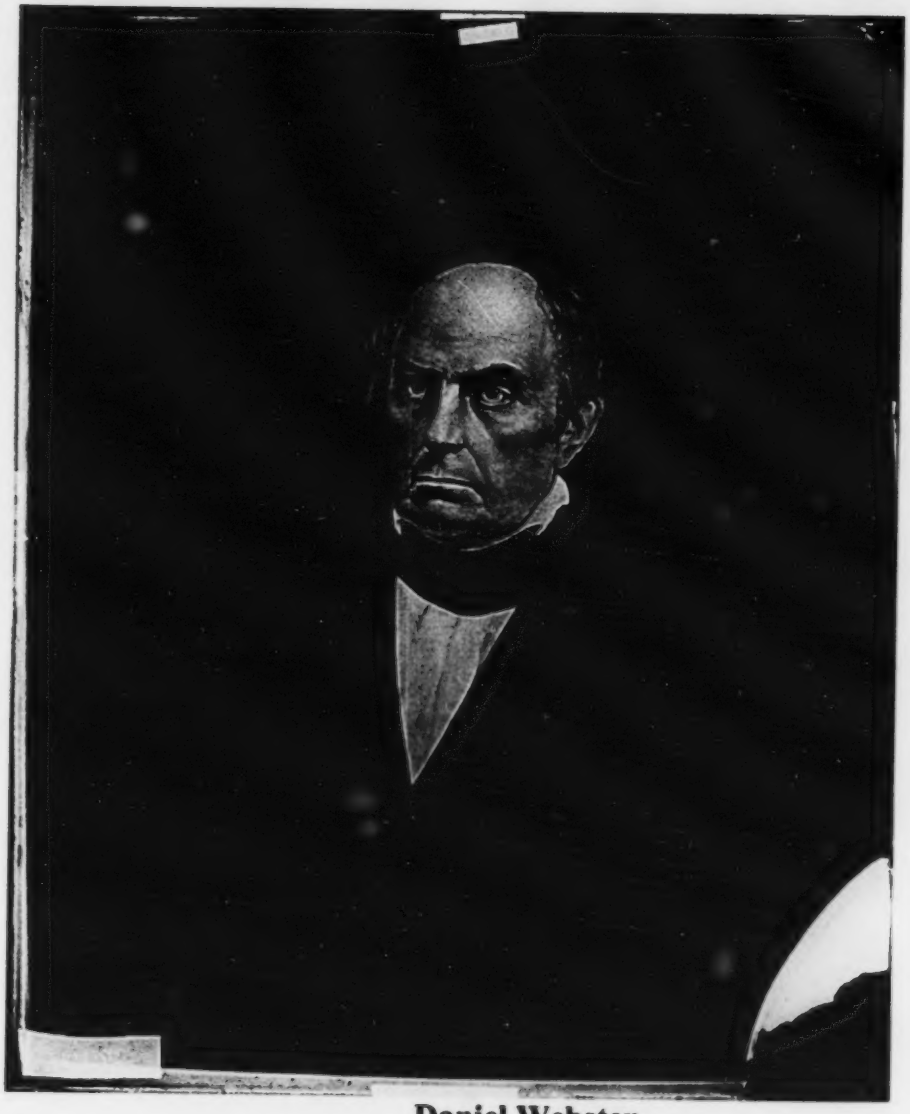
The photographs included in this project are available through the National Archives Information Locator (NAIL) http://www.nara.gov/nara/nail.html database and are in Record Group 111, Records of the Office of the Chief Signal Officer. NAIL is a searchable database that contains information about a wide variety of NARA holdings across the country. You can use NAIL to search record descriptions by keywords or topics and retrieve digital copies of selected textual documents, photographs, maps, and sound recordings related to thousands of topics.



President James Polk

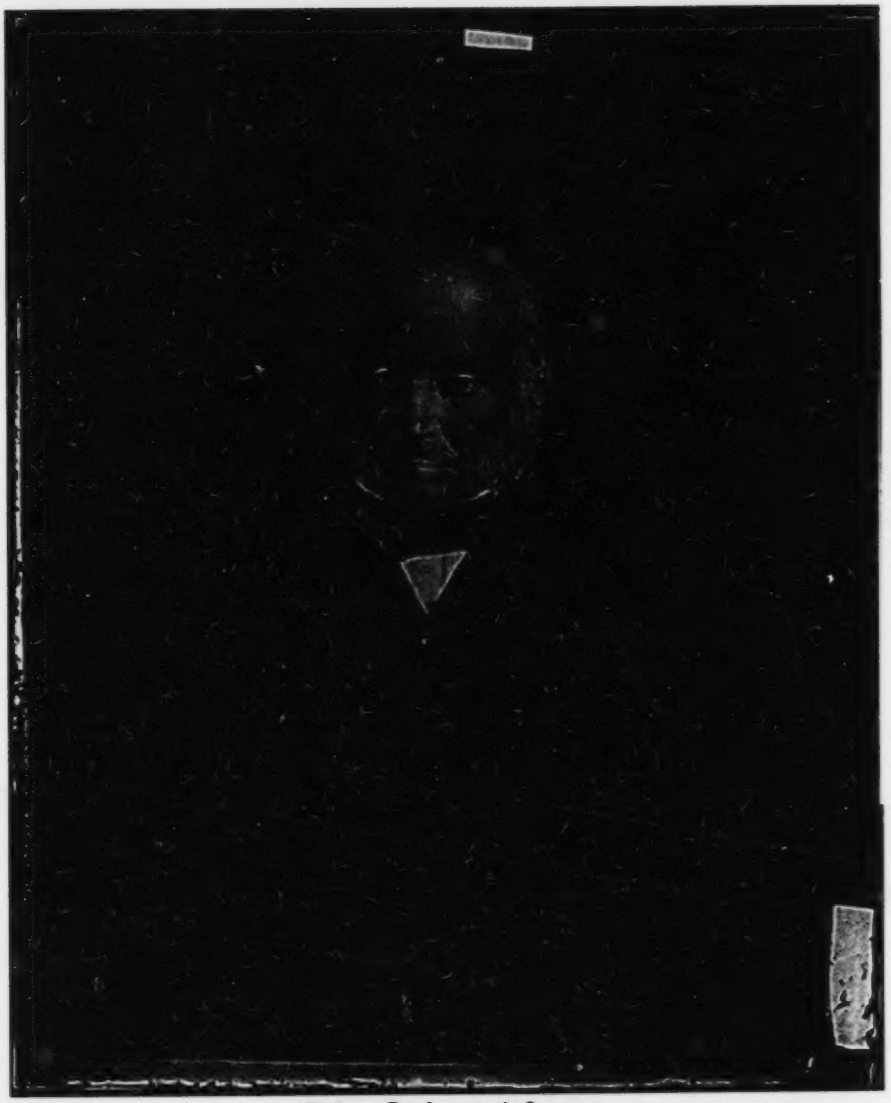
John L. Slidell

General Zachary Taylor

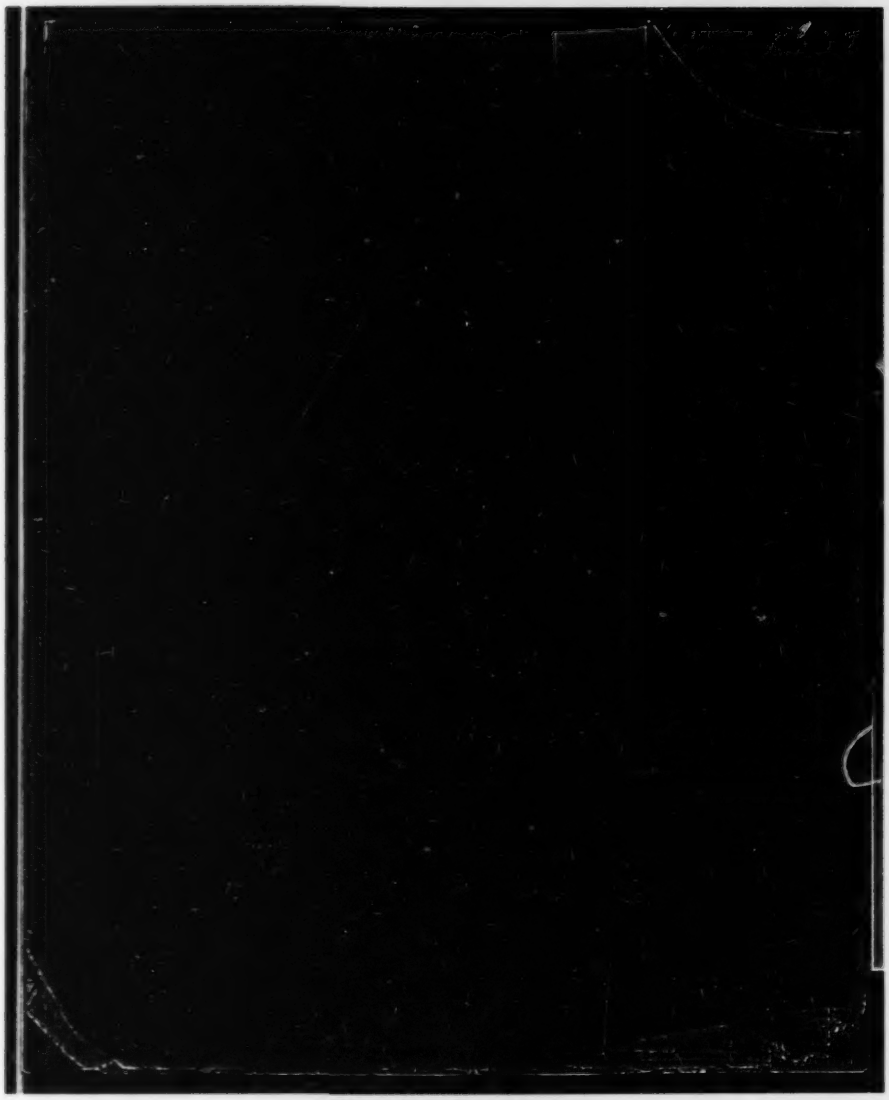


Daniel Webster

Abraham Lincoln



John Quincy Adams



Charles Sumner